

### **REMARKS**

Claims 1-10 are now pending in the application. Applicant has amended claims 1-10 to correct minor informalities. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mortensen (U.S. Pat. No. 5,563,804) in view of Plog (U.S. Pat. No. 6,414,724). This rejection is respectfully traversed.

Applicant has amended claims 1 and 7. Amended claims 1 and 7 recite “overlaying the caption image on a digital service image to generate a mixed image with the caption, and obtaining the mixed image” in combination with the other limitations in the claim. Neither Mortensen or Plog, either individually or in combination, teach or suggest at least this limitation.

Mortensen at best appears to discuss that after receiving signals from a remote side, the video signals and the caption signal are separated at the “VIDEO SIGNAL TUNER” and are transmitted to the “VIDEO CAPTURE INTERFACE” and the “CLOSED CAPTION DECODER”, respectively. The video signals and the caption signals are transmitted separately to user terminals; they are not mixed, nor is it taught or suggested to mix these signals, at the local side. Mortensen also fails to teach or suggest overlaying the caption image on a digital service image to generate a single mixed image, which contains the digital service image and the caption, for transmitting

to user terminals. The implementation of Mortenson implicitly requires that the decoder at the receiving side recognize that the caption is carried in the digital service image, which requires additional overhead from the decoder. As Mortenson at best discloses providing a separate input into the network and a separate window on the user display, Mortenson can not be argued to teach or suggest providing the claimed caption overlay module to generate a mixed image with the caption.

Plog at best appears to discuss how to use a circuit to generate an actual color display for a graphics display with a foreground and a background. Plog fails to teach or suggest utilizing a caption generating module and a caption overlaying module in a caption overlaying method. Plog also fails to teach or suggest mixing a digital service image and a caption image at a remote site.

In view of the foregoing, Applicant respectfully submits that claim 1 and its depended claims define over the art cited by the Examiner. Likewise, claim 7 and its depended claims define over the art cited by the Examiner.

## **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner

believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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